

JAN 03 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Parker, James A. Art Unit: : 2144  
Serial No. : 09/915,719 Examiner : Maniwang, J.R.  
Filing Date : July 25, 2001  
Title : Electronic Mail File Access System  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF OWNERSHIP AND ASSIGNEE'S POWER OF ATTORNEY

Dear Sir:

The corporation that is the assignee of all rights under this patent application hereby assumes prosecution of this application pursuant to 37 C.F.R. §§ 3.71 and 3.73 and MPEP § 324, to the exclusion of the inventor.

Tacit Networks, Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title and interest in this patent application, identified in the caption, by virtue of an assignment from the inventor to AttachStor, Inc. recorded 6/27/2003, at Reel/Frame: 014213/0911 followed by an assignment from AttachStor, Inc. to Tacit Networks, Inc., recorded 4/7/2004, at Reel/Frame: 014503/0821.

The undersigned states that he is an officer of Tacit Networks, Inc., and is empowered to act on behalf of that entity.

Assignee hereby appoints practitioners at

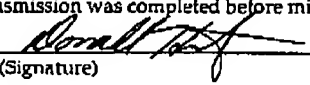
Customer Number **26362**

who are presently Louis J. Hoffman, Reg. No. 38,918 and Edwin A. Suominen, Reg. No. 43,174, as my attorney(s) or agent(s) to prosecute the application, and to transact all business in the United States Patent and Trademark Office connected therewith.

Certification Under 37 C.F.R. § 1.6

The undersigned hereby certifies that this paper was sent via facsimile this 3rd day of January, 2005, to the United States Patent and Trademark Office, to facsimile number (703) 872-9306, and the transmission was completed before midnight Eastern time.

Donald Hertz  
(Name)

  
(Signature)

Please record the following for identification purposes:

Attorney Docket Number **46**

Direct telephone calls to: Louis J. Hoffman  
(480) 948-3295

Send correspondence to: Louis J. Hoffman  
LOUIS J. HOFFMAN, P.C.  
14614 North Kierland Boulevard, Suite 300  
Scottsdale, Arizona 85254

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

TACIT NETWORKS, INC.

Dated: December 28, 2004

By: 

Shirish H. Phatak  
CTO & VP Engineering